

Message Text

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63

ORIGIN COME-00

INFO OCT-01 EUR-12 ISO-00 EB-07 CIAE-00 PM-03 INR-07 L-02

ACDA-10 NSAE-00 PA-02 PRS-01 SP-02 USIA-15 TRSE-00

SAJ-01 DODE-00 /063 R

DRAFTED BY COM/BIC/OED/OPS/J.STUMP

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STATE/EUR/RPM/E.C.REHFELD

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P 042112Z MAR 75

FM SECSTATE WASHDC

TO USMISSION NATO PRIORITY

UNCLAS STATE 048249

E.O. 11652: N/A

TAGS: BEXP, BE

SUBJECT: PRODUCT OPPORTUNITY: U.S. CONTRACTORS' PROBLEM

--- WITH TRANSMITTAL OF BID DOCUMENTS TO NATO

REF: USNATO 1111

1. IN RESPONSE PARA FIVE REFTEL, RELIEF FROM NORMAL FIVE-SEVEN DAY TRANSMITTAL TIME IS BEING SOUGHT; HOWEVER, OUTCOME IS UNCERTAIN AT THIS TIME. IF AUTHORIZATION GRANTED, IT MAY BE NECESSARY FOR USMISSION OFFICIAL TO MEET COURIERS TO PRECLUDE OPENING OF MATERIAL BY FOREIGN CUSTOMS OFFICIALS. WILL ADVISE.

2. INASMUCH AS OUTCOME OF ARRANGEMENT DESCRIBED ABOVE IS UNCERTAIN, USMISSION SHOULD MAKE APPROACH TO PAYMENTS AND PROGRESS COMMITTEE ON MARCH 6 AS PROPOSED PARA FIVE REFTEL.

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3. FOLLOWING PROVIDED TO ASSIST IN PRESENTATION BEFORE

PLANS AND PROGRESS COMMITTEE:

A. CONTRACTORS ARE CONVINCED DOCUMENTS SHOULD BE NOT LESS THAN NATO CONFIDENTIAL AND ARE CLASSIFYING THEM ACCORDINGLY. EXPEDIENCY OF DELIVERY DOES NOT APPEAR TO BE SUFFICIENT JUSTIFICATION FOR DOWNGRADING MATERIAL THAT SHOULD BE NATO CONFIDENTIAL. FIRMS ARE VERY RELUCTANT TO JEOPARDIZE

THEIR SECURITY CLEARANCE STATUS BY RISKING NON-COMPLIANCE WITH REGULATIONS.

B. EQUITABLE TREATMENT OF U.S. BIDDERS VIS-A-VIS EUROPEANS DICTATES THAT TIME CONSTRAINTS APPLY TO THE TIME ALLOTTED FOR BID PREPARATION ALONE AND NOT INCLUDE TRANSMISSION TIME. U.S. BIDDERS WOULD BE ON AN EQUAL FOOTING INsofar AS ACTUAL TIME AVAILABLE FOR BID PREPARATION IF THEY WERE PERMITTED TO DELIVER THE DOCUMENTS TO A USG AGENCY NO EARLIER THAN THE TIME EUROPEAN BIDDERS WOULD BE REQUIRED TO DISPATCH THEIR BIDS TO MEET THE BID DEADLINE, ALLOWING FOR NORMAL DELIVERY TIME IN EUROPE. FOR EXAMPLE, IF THE LATEST TIME A EUROPEAN BIDDER COULD DISPATCH A BID TO MEET THE DEADLINE OF 1200 LOCAL ON 21 MARCH WERE 1200 ON 20 MARCH, THEN U.S. BIDDERS SHOULD BE GIVEN UNTIL THAT TIME TO GIVE THEIR BIDS TO THE USG AGENCY RESPONSIBLE FOR TRANSMITTING THE DOCUMENTS. THE USG AGENCY WOULD CERTIFY THE TIME OF RECEIPT. KISSINGER

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